

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CAUSE NO. 1:19-cr-63-LG-JCG-2

JARLEESA NICOLE WRIGHT

ORDER DENYING MOTION TO DISMISS FOR FAILURE TO PROSECUTE

BEFORE THE COURT is a [288] Motion to Dismiss for Failure to Prosecute filed by Defendant, Jarleesa Nicole Wright. On September 18, 2019, Defendant entered a plea of guilty to one count of possession with intent to distribute cocaine hydrochloride, in violation of 21 U.S.C. § 841(a)(1). On December 9, 2019, Defendant was sentenced to 114 months' imprisonment, 3 years' supervised release, a \$3,000 fine, and a \$100 special assessment. (J., ECF No. 162). She currently remains in federal custody.

Defendant's instant [288] Motion for Dismiss for Failure to Prosecute advises that "[t]he defendant is currently serving a 92 months sentence for [the] same charges with the State in a Federal custody in Aliceville, Alabama and would like for the state's charges to be dropped." (Mot., ¶ 3, ECF No. 288). Defendant appears to ask this Court to dismiss charges brought by the State of Mississippi against her. Although there are mechanisms to attack the integrity of a state criminal proceeding in federal court, such as habeas corpus relief, Defendant has not commenced any such action nor provided any legal ground permitting the Court to grant this relief. *See Leander v. Brooks*, No. A-11-CA-313-LY, 2011 WL 1486562, at *1 (W.D. Tex. Apr. 19, 2011) (holding that a "federal court cannot order that . . .

plaintiff's state court charges be dropped") (citing *Lacayo v. Dimiceli*, Civ. No. 08-4970, 2009 WL 331452, at *3 (E.D. La. Feb. 10, 2009)).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the [288] Motion to Dismiss for Failure to Prosecute is **DENIED**.

SO ORDERED AND ADJUDGED this the 20th day of April, 2023.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE